



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
TUESDAY, DECEMBER 14, 2010  
6:00 P.M.  
COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR  
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Tuesday, December 14, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:05 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Belinda F. Gergel, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

\*\*Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to discuss Ordinance No.: 2010-160 immediately after the Invocation.

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

Dr. E. Sutton, Pastor of Faith Christian Ministries offered the Invocation.

### **ORDINANCE – FIRST READING**

1. \*\*Ordinance No.: 2010-160 – Amending Section 9 of the Agreement between South Carolina Electric & Gas Company (“SCE&G”) and the City of Columbia dated February 20, 2002 – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted five (5) to two (2) to give first reading approval to Ordinance No.: 2010-160 – Amending Section 9 of the Agreement between South Carolina Electric & Gas Company (“SCE&G”) and the City of Columbia dated February 20, 2002. Voting aye were Mr. Davis, Ms. Devine, Dr. Gergel, Mr. Newman and Mayor Benjamin. Voting nay were Mr. Rickenmann and Ms. Plough.

- **Ms. Devine left the meeting at 6:30 p.m.**

### **PRESENTATIONS**

2. St. Peter's Catholic School Strength & Movement Program – Ms. Kathy Preston, Principal of St. Peter's Catholic School

Ms. Kathy Preston, Principal and the students of St. Peter's Catholic School thanked the City of Columbia Police Department's Homeland Security Division and the City Center Partnership for escorting the students to the Columbia Conservatory of Dance for their strength and movement classes on Tuesdays, Wednesdays and Thursdays from September 7, 2010 through December 9, 2010.

3. Proposed Façade Improvement Program – Ms. Tina Herbert, Deputy Director / Community Development Department

Ms. Tina Herbert, Deputy Director of Community Development presented the revamped Façade Improvement Program that will be used to provide public investment to targeted redevelopment areas by funding the visual improvement of retail businesses.

Upon a motion made by Mr. Newman and seconded by Mr. Rickenmann, Council voted unanimously to endorse the Façade Improvement Program for the Business Improvement District as identified by the City Center Partnership for year one and to refer this program to the Economic and Community Development Committee for review and consideration of the selection process for priority areas and to determine how to move forward in successive years.

### **APPOINTMENTS**

4. \*\*Board of Zoning Appeals

Upon a motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to approve the appointment of Reggie Lamont McKnight to the Board of Zoning Appeals.

- **Mr. Davis left the meeting at 7:10 p.m.**

5. New Proposed Routes for Central Midlands Regional Transit Authority (CMRTA) – Ms. Mitzi Javers, Executive Director of the Central Midlands Regional Transit Authority

Ms. Mitzi Javers, Executive Director of the Central Midlands Regional Transit Authority announced that the CMRTA secured a reimbursement from the Federal Transit Administration in the amount of \$2.1 million. She noted that this non-reoccurring reimbursement doesn't eliminate the need for longer term funding to support and improve the whole transit system for our community.

The members of Council expressed their discontent with the current operations of the transit system and the lack of information sharing. The members of Council were clear on their expectations to move forward with a viable transit system.

\*\*Upon a motion made by Dr. Gergel and seconded by Mayor Benjamin, Council voted unanimously to receive the Hospitality District Safety Taskforce Report at this time.

6. Hospitality Safety Task Force Committee Report – Mr. Tom Sponseller, Chair of the Hospitality District Safety Taskforce

Mr. Tom Sponseller, Chair of the Hospitality District Safety Taskforce and Mr. Scott Linaberry, Taskforce Member presented an overview of the following four (4) recommendations, which were presented to and discussed with the Public Safety Committee earlier today.

- Implementation of a juvenile curfew for those 17 and younger
- Implementation of a citywide law closing bars at 2 a.m. A bar may apply for a special permit to remain open until 4 a.m. where State law permits.
- Enforcement in the hospitality zones by a Hospitality Public Safety Team
- Implementation of extensive public relations campaigns

These recommendations will be further discussed on January 11, 2011.

## **CITY COUNCIL DISCUSSION / ACTION**

7. Council is asked to approve the Disposition of Ten (10) Bicycles for the Columbia Parks and Recreation Youth Mentoring Program, as requested by the Police Department's Evidence and Property Unit. - *Approved*

Upon a motion made by Ms. Plaugh and seconded by Mr. Rickenmann, Council voted unanimously to approve the Disposition of Ten (10) Bicycles to the Columbia Parks and Recreation Foundation for the Columbia Parks and Recreation Youth Mentoring Program, as requested by the Police Department's Evidence and Property Unit.

8. State and Federal Legislative Priorities – Ms. Teresa Wilson, Director of Governmental Affairs

Upon a motion made by Mr. Rickenmann and seconded by Ms. Plaugh, Council voted unanimously to endorse the State Priorities and the Federal Legislative Program.

9. Council is asked to approve the request funding for the continued support of a Special City Prosecutor with the Richland County Solicitor's Office.

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to approve the allocation of \$70,000 to fund the Special City Prosecutor with the Richland County Solicitor's Office for fiscal year 2010/2011, with the understanding that Interim Police Chief Randy Scott will assist with the selection of the Special City Prosecutor.

10. Council is asked to authorize the City Manager to enter into Negotiations to Lease the Columbia Canal Hydroelectric Facility.

Upon a motion made by Mr. Rickenmann and seconded by Ms. Plaugh, Council voted unanimously to authorize the City Manager to enter into negotiations to lease the Columbia Hydroelectric Facility as recommended by the Selection Committee.

11. \*\*National League of Cities Congress of Cities Summary Report – The Honorable Leona K. Plaugh – *This item was deferred.*
12. Ordinance No.: 2010-090 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article V, Offenses Involving Minors, Division 2, Curfew – *Discussion of this item was deferred to Executive Session.*

## **SIDEWALK VENDING PUBLIC HEARING**

### **ORDINANCES – FIRST READING**

13. **SW Corner of Assembly and Laurel Streets Continue Operation**

Ordinance No.: 2010-155 – Granting a Franchise to Mary Smalls d/b/a Harris Charette for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street adjacent to Finlay Park – *Approved on first reading.*

14. **Mid-Block Pad Near 1701 Main Street Continue Operation**

Ordinance No.: 2010-156 – Granting a Franchise to Robert Spencer for operation of a stationary sidewalk vending cart in the mid-block pad near 1701 Main Street – *Approved on first reading.*

15. **Mid-Block Pad Near 1333 Main Street Continue Operation**

Ordinance No.: 2010-157 – Granting a Franchise to Regina Doster and Kylin Doster d/b/a Carolina Dawgs for operation of a stationary sidewalk vending cart within the mid-block pad near 1333 Main Street – *Approved on first reading.*

- **Council opened the Public Hearing at 8:30 p.m.**

No one appeared in support of or in opposition to **Items 13.** through **15.**

- **Council closed the Public Hearing at 8:30 p.m.**

Upon a single motion made by Ms. Plaugh and seconded by Dr. Gergel, Council voted unanimously to give first reading approval to **Items 13.** through **15.**

**CONSENT AGENDA**

Upon a single motion made by Ms. Plaugh and seconded by Mr. Rickenmann, Council voted unanimously to approve the **Consent Agenda Items 16.** through **23.**

**CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS**

16. Council is asked to approve Project #SS7159(6); Purchase of Hundred Forty-eight (148) Wear Shoes for the Grit Chambers at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to WSG & Solutions in the amount of \$11,696.94. This vendor is located in Montgomery, PA. *Funding Source: Sanitary Sewer Maintenance Fund; 5516212-638300 - Approved*
17. Council is asked to approve Project #SS7171; An Agreement for Boundary Survey and Plat Preparation for 345 Acre Property Adjacent to 1200 Simon Tree Road, as requested by Utilities and Engineering. Award to B.P. Barber & Associates, Inc., in the amount of \$17,560.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvement Fund 5529999-SS710101-63660 & 5529999-SS717101-636600 - Approved*
18. Council is asked to approve the Purchase of a Vogelsang Displacement Pump for the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Pumps, Part & Service, Inc., as a Sole Source in the amount of \$18,167.53. This vendor is located in Charlotte, NC. *Funding Source: Utilities Metro Wastewater Plant/Equipment Repairs/Services Supply; 5516208-631800 - Approved*
19. Council is asked to approve the Purchase of Employee and Timecard Online Software, as requested by the Information Technology Department. Award to Sungard as a Sole Source in the amount of \$43,157.38. This vendor is located in Chicago, IL. *Funding Source: (General Admin Information Technology/Computer License 6218950-627510*

*\$17,548.00); (General Admin Information Technology/Professional Services 6218950-636600 \$22,099.78); (General Admin Information Technology/Maintenance & Service Contract 6218950-638200 \$3,509.60) - Approved*

20. Council is asked to approve Project #WM4211 & SS7138; An Agreement for Miscellaneous Services Associated with Geotechnical Testing and Inspection Services, as requested by Utilities and Engineering. Award to F&ME Consultants, Inc., in the amount of \$60,000.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Funds 5529999-WM421101-636600 & 5529999-SS713801-636600 - Approved*
21. Council is asked to approve the Purchase of Computer Equipment and Maintenance to replace the Core Network Devices that are either at end of life or inadequate for requirements, as requested by the Information Technology Department. Award to Alphanumeric Systems, Inc., the lowest bidder meeting specifications in the amount of \$139,987.68. This vendor is located in Raleigh, NC. *Funding Source: (Technology Replacement/Computer-Electronic Equipment >\$5,000; 6218954-658600 \$86,505.22); Technology Replacement/Computer Supplies; 6218954-627500 \$9,560.20); (Technology Replacement/Computer-Electronic Equipment <\$5,000; 6218954-657600 \$27,071.00); (Technology Replacement/Maintenance-Service Contract; 6218954-638200 \$16,851.26) - Approved*
22. Council is asked to approve the Purchase of Two (2) Camera Trucks, as requested by the Wastewater Maintenance Division. Award to Southern Municipal Equipment Company, the lowest bidder in the amount of \$361,400.00. This vendor is located in Lexington, SC. *Funding Source: Utilities Wastewater Maint./ Auto, Trucks, Heavy Equipment >\$5,000; 5516205-658500 - Approved*
23. Council is to approve Project #SS695402; Interceptor Replacement along Crane Creek from Brickyard Road to Monticello Road, as requested by Utilities and Engineering. Award to LAD Corporation, the lowest bidder in the amount of \$4,354,886.60. This vendor is located in West Columbia, SC. *Funding Source: SS69502-851600 – This is a Mentor Protégé Program Project and Babcock Construction is the Protégé. - Approved*

#### **ORDINANCE – SECOND READING**

24. Ordinance No.: 2010-132 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99 Possession or consumption of alcoholic beverages on public property – *Approved on first reading on September 29, 2010. – Approved on second reading.*

Upon a motion made by Dr. Gergel and seconded by Ms. Plough, Council voted unanimously to give second reading approval to Ordinance No.: 2010-132 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99 Possession or consumption of alcoholic beverages on public property.

## **RESOLUTION**

25. Resolution No.: R-2010-102 – Authorizing the City Manager to execute an Addendum to the Intergovernmental Agreement dated April 2009 relating to the Interim Financing for the Central Midlands Region Transit Authority between Lexington County, Richland County, Central Midlands Regional Transit Authority and the City of Columbia

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2010-102 – Authorizing the City Manager to execute an Addendum to the Intergovernmental Agreement dated April 2009 relating to the Interim Financing for the Central Midlands Region Transit Authority between Lexington County, Richland County, Central Midlands Regional Transit Authority and the City of Columbia.

## **APPOINTMENT**

26. Richland Lexington Airport District Commission

Upon a motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to approve the reappointment of F. Xavier Starkes to the Richland Lexington Airport District Commission for a second and final term.

27. Property Maintenance Board Appeals

Upon a single motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to approve the reappointment of Ray Fountain, Ronald Rust, Timothy Hance and Lyman Munson for a three (3) year term to the Property Maintenance Board of Appeals and to authorize the re-advertisement of the remaining vacancies through January 31, 2011.

## **CITY COUNCIL COMMITTEE REPORTS**

28. Council is asked to provide committee reports and/or present motions to refer specific matters to a particular Council Committee at this time.

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to ask the Environment and Infrastructure Committee to consider discussions with Palmetto Utilities in reference to servicing residential properties out Farrow Road and to ask the Administrative Policy Committee to develop a proposal for the consolidation of certain services and functions with Richland County Government.

29. Additional Appointments to Bull Street Development Committee

Upon a motion made by Mayor Benjamin and seconded by Dr. Gergel, Council voted unanimously to approve the appointment of Robert Lewis to the Bull Street Development Committee.

30. Central Midlands Regional Transit Authority (CMRTA) Board Appointment

Upon a motion made by Mr. Newman and seconded by Mr. Rickenmann, Council voted unanimously to approve the appointment of Norman Summers to the Central Midlands Regional Transit Authority as a replacement for Tommy Windsor, pending the receipt of an application.

## **APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL**

Ms. Dawn Muskovin appeared before the members of Council in support of the curfew ordinance and to express concerns about increasing the SCE&G Franchise Fee to fund the transit system. She feels that the transit system is needed; it should be expanded to outlying areas; and incentives/packages should be offered to riders.

\*\*There was a consensus of Council to cancel the Special Called Meeting/Public Hearing scheduled for December 28, 2010 and to direct the City Manager to poll the members of Council to set an appropriate date and time in January 2011. An amended Notice of Public Hearing on Ordinance No.: 2010-160 – Amending Section 9 of the Agreement between South Carolina Electric & Gas Company (“SCE&G”) and the City of Columbia dated February 20, 2002 will be advertised accordingly.

## **EXECUTIVE SESSION**

\*\*Upon a motion made by Dr. Gergel and seconded by Mr. Rickenmann, Council voted unanimously to go into Executive Session at 9:09 p.m. for the receipt of legal advice on Ordinance No.: 2010-090 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article V, Offenses Involving Minors, Division 2, Curfew. *This item was discussed in Executive Session. No action was taken.*

- **Council adjourned the meeting at 9:45 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk